

FILED
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AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY DEPUTY

**United States District Court
District of Maryland**

Adeola Mitchel,

)

Plaintiff,

)

CIVIL ACTION

)

v.

)

LVNV Funding LLC,

)

)

Defendant.

)

INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff Adeola Mitchel (“Plaintiff”), an individual consumer, against Defendant LVNV Funding LLC (“Defendant”) for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION

2. This is a civil action to enforce liability created under the FDCPA.
3. Jurisdiction of this court arises under 15 U.S.C. § 1692k(d).
4. Jurisdiction of this court arises under 28 U.S.C. § 1337(a).

VENUE

5. Defendant is a artifical person.
6. Defendant is domiciled in Greenville County, South Carolina.
7. Defendant resides in in Greenville County, South Carolina.

8. Venue in this court is proper under 28 U.S.C. § 1391(b)(1).
9. A substantial part of the events or omissions giving rise to Plaintiff's claim herein occurred in this judicial district.
10. Venue in this court is proper under 28 U.S.C. § 1391(b)(1).

PARTIES

11. Plaintiff is a natural person.
12. Plaintiff is allegedly obligated to pay an alleged \$18,114 debt to Defendant.
13. LVNV Funding LLC's office address is 15 South Main Street, #600 Greenville, South Carolina 29601.
14. Plaintiff resides in Fredrick County, Maryland.
15. Plaintiff is a "consumer" as defined under 15 U.S.C. § 1692a(3).
16. Defendant is engaged in the business of collecting debt in this state with his principal place of business located at 15 South Main Street, #600 Greenville, South Carolina 29601.
17. Defendant's principal business includes the collection of debts in this state.
18. Defendant regularly attempts to collect debts alleged to be due another.

28. Defendant has further attempted to collect the alleged debt from Plaintiff by reporting the alleged debt to consumer reporting agencies instructing and causing consumer reporting agencies to publish the alleged debt in consumer reports concerning Plaintiff.

29. Defendant caused the alleged debt to be on Plaintiff's consumer reports.

30. Plaintiff is not indebted to Defendant for \$18,114.

31. Plaintiff is not indebted to non-party Synchrony Bank or Defendant for \$ 18,114.

32. Plaintiff has not promised to pay non-party Synchrony Bank or Defendant \$18,114.

33. Plaintiff has not consented to or entered into any contract with non-party Synchrony Bank or Defendant promising to pay it \$ 18, 114.

CLAIM FOR RELIEF

34. Plaintiff realleges and incorporates the foregoing paragraphs verbatim.

35. Defendant violated the FDCPA as to its conduct toward Plaintiff.

36. Defendant's FDCPA violations include, but are not limited to:

a. Engaging in collection activity to harass,

- b. oppress, or abuse Plaintiff in connection with the collection of an alleged debt of approximately \$18,114 in violation of 15 U.S.C. § 1692d;
- c. Falsely representing the character, amount, or legal status of an alleged debt of approximately \$18,114 in violation of 15 U.S.C. § 1692e(2)(A);
- d. Using false representation or deceptive means via its collection activity and dunning letter(s) or credit reporting to collect or attempt to collect an alleged debt of \$18,114 from Plaintiff in violation of 15 U.S.C. § 1692e(10);
- e. Failing to disclose in communications from Defendant to Plaintiff that the communication is from a debt collector in violation of 15 U.S.C. § 1692e(11);
- f. Attempting to collect \$18,114 from Plaintiff when such amount is not expressly authorized by law or any agreement creating the amount;

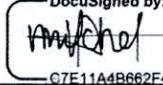
37. As a result of the foregoing violations of the FDCPA, Defendant is liable to Plaintiff for actual damages, statutory damages, and costs and attorney's fees.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for the following:

- a. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1);
- b. Statutory damages pursuant to 15 U.S.C. § 1692k(a)(2)(A);
- c. Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3); and
- d. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Dated: 11/12/2021

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PLAINTIFF (*pro se*)

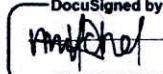
DEMAND FOR JURY TRIAL

Please take notice that Plaintiff demands trial by jury in this action if so triable.

Respectfully submitted,

Dated:

11/12/2021

DocuSigned by:

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Adeola Mitchel